

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

EARL PARRIS, JR., individually, and)	
on behalf of a Class of persons similarly)	
situated,)	
)	
<i>Plaintiff,</i>)	Civil Action No.
)	4:21-cv-00040-TWT
vs)	
)	
3M COMPANY, et al.,)	
)	
<i>Defendants.</i>)	

[PROPOSED] ORDER ON PLAINTIFFS' JOINT MOTION TO COMPEL

Plaintiff Earl Parris, Jr. (“Parris”) and Intervenor-Plaintiff the City of Summerville, Georgia (“Summerville”) (Summerville and Parris are collectively referred to as “Plaintiffs”) filed a Joint Motion to Compel (“Motion”) [Dkt 328] seeking to compel Defendant Mount Vernon Mills (“Mount Vernon”) to produce additional documents in this litigation. Plaintiffs sought discovery of documents before 2016, to which Mount Vernon objected based on the preliminary grounds that Plaintiffs failed to comply with Local Rule 37.1 specifying the format of a motion to compel discovery and based on relevancy and proportionality. The Court has reviewed the filings of the parties and heard oral argument as to this discovery dispute on March 13, 2023.

The Court finds that Plaintiffs' Motion does not comply with Local Rule 37.1 in that it fails to list verbatim each discovery request, objection and grounds therefor, and thereafter the authority and reasons underlying the motion. Because the Court undertakes its own review of discovery disputes, compliance with the local rules is essential to allow the Court to evaluate a dispute especially where, as here, Mount Vernon contends that certain topics in the Motion do not correspond to an existing discovery request. *See Alcoa, Inc. v. Universal Alloy Corp.*, 2016 U.S. Dist. LEXIS 196144, *12 (N.D. Ga. 2016). The Court further notes that all counsel are advised that in this complex multi-party case that the Court will insist upon compliance with the Local Rules relative to any future discovery disputes.

The Court does not decide the merits of the motion to compel, but advises the Plaintiffs and Mount Vernon to confer again regarding this discovery dispute prior to the re-filing of any motion compliant with Local Rule 7.1. Should a motion need to be re-filed in compliance with the rules, and should proportionality remain an issue, the Court will expect that a record will be provided by Mount Vernon Mills to specifically document the burden and cost incurred by the opponent, and the movant shall demonstrate why the materials that are the subject of that burden and cost are necessary for advancing this litigation.

The Court DENIES the Motion [Dkt. 328] without prejudice.

IT IS SO ORDERED this ____ day of March, 2023.

THOMAS W. THRASH, Senior Judge
U.S. District Court
Northern District of Georgia